

Message

From: Hayden, Melva [Hayden.Melva@epa.gov]
Sent: 7/20/2017 6:34:32 PM
To: Oropallo, Michael A. [MOropallo@barclaydamon.com]
CC: Paul, Thomas J. [tpaul@barclaydamon.com]; Resch, Tracy M. [tresch@barclaydamon.com]; Guster, Edward [Guster.Edward@epa.gov]; Thomas, Derval [Thomas.Derval@epa.gov]; Voo, Leonard [Voo.Leonard@epa.gov]; Sawyer, William [Sawyer.William@epa.gov]
Subject: Re: Lansing [IWOV-ACTIVE.FID1716645] I/M/O Lansing Rod and Gun Club Docket No. RCRA-02-2016-7301

Dear Mr. Oropallo, et al

I am sorry to hear about the severe flooding impacting the area of the Club's property. Thank you for advising EPA of the situation. We send our best wishes to all of those impacted in the area by the flooding.

I think there is some misunderstanding. EPA would like to hold a conference call with you and any other Club representatives to discuss ways in which the Club might seek to involve or apprise the affected community and attendees of the public availability sessions on the implementation of the Club's ESP. EPA is not seeking another public meeting, as such.

I believe a conference call may still be in order so that the Parties can discuss the Club's situation and the impact it may have on the Order. In Sec. XV of the Order, there are provisions for dealing with Force Majeure and Excusable Delays.

I will confer with Ed Guster, my program client, as to his availability and will provide you with additional prospective dates that we will be available to discuss this matter in further detail. Thank you again.

Sincerely,

Melva J. Hayden

Melva J. Hayden, Esq.
Assistant Regional Counsel
Region 2 Title VI Coordinator
Office of Regional Counsel
U.S. EPA - Region 2
290 Broadway - 16th Floor
New York, NY 10007-1866
212-637-3230 (EPA Office)
212-637-3202 (EPA Fax)
718-712-5674 (Alternate Work Location Number)

From: Oropallo, Michael A. <MOropallo@barclaydamon.com>
Sent: Thursday, July 20, 2017 7:46 AM
To: Hayden, Melva

Cc: Paul, Thomas J.; Resch, Tracy M.

Subject: Lansing [IWOV-ACTIVE.FID1716645]

Good Morning Ms. Hayden,

My apologies for the delay in getting back to you. Unfortunately, the unprecedented wet weather and excess rain has caused significant problems for our client and its plans, and has resulted in an unexpected and temporary pause in its progress. As you are no doubt aware, the Central New York area has experienced severe flooding. That flooding has further impacted our client. Particularly, the loss of additional land area due to the flooding and related erosion. This has forced our client to rethink its options, and is currently exploring the possibility of a reconfiguration of the entire property and has met with local municipal officials regarding such.

In light of this unexpected, intervening and catastrophic event, we respectfully ask that you place any public hearing on hold until we can provide a better report on the likely alternative plan for reconfiguration.

Thank you for your time and attention.

Michael A. Oropallo

Partner

BARCLAY DAMON LLP

Barclay Damon Tower • 125 East Jefferson Street • Syracuse, NY 13202

D: (315) 425-2831 • F: (315) 703-7367 • C: (315) 729-0602

E: MOropallo@barclaydamon.com

barclaydamon.com • [vCard](#) • [Profile](#)

Barclay Damon, LLP

barclaydamon.com

Barclay Damon is a full service, super-regional law firm with 275 attorneys in 11 offices located across New York and the Northeast.

Please note our new address: Barclay Damon Tower • 125 East Jefferson Street • Syracuse NY, 13202

This electronic mail transmission is intended only for the use of the individual or entity to which it is addressed and may contain confidential information belonging to the sender which is protected by the attorney-client privilege. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance on the contents of this information is strictly prohibited. If you have received this transmission in error, please notify the sender immediately by e-mail and delete the original message.
